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THE MARK

BY

FREDERICK ENGELS

Written as an appendix to "Socialism, Utopian and Scientific"

NEW YORK
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PREFATORY NOTE

THIS short but instructive essay on the primitive form of collective land ownership in Germany and the subsequent development of private property, was written by Engels in 1892 as an Appendix to his well-known work entitled, *Socialism, Utopian and Scientific.* But as the subject to which it refers is a special one, there is some advantage in publishing it separately. And right here it may be observed that the institution called in German the "Mark" was by no means confined to Germany. Remnants of it are still found in every European country, and even the "commons" of New England towns are directly traceable to those customs of the Middle Ages, which centuries of land-grabbing under Feudalism had not yet succeeded in fully destroying when the Puritans landed on the American shore.

LUCIEN SANIAL.

NEW YORK, *January, 1902.*

THE MARK.

In a country like Germany, in which quite half the population live by agriculture, it is necessary that the socialist workingmen, and through them the peasants, should learn how the present system of landed property, large as well as small, has arisen. It is necessary to contrast the misery of the agricultural laborers of the present time and the mortgage-servitude of the small peasants, with the old common property of all free men in what was then in truth their "fatherland," the free common possession of all by inheritance.

I shall give, therefore, a short historical sketch of the primitive agrarian conditions of the German tribes. A few traces of these have survived until our own time, but all through the Middle Ages they served as the basis and as the type of all public institutions, and permeated the whole of public life, not only in Germany, but also in the north of France, England, and Scandinavia. And yet they have been so completely forgotten, that recently G. L. Maurer has had to re-discover their real significance.

Two fundamental facts, that arose spontaneously, govern the primitive history of all, or of almost all, nations; the grouping of the people according to kindred, and

common property in the soil. And this was the case with the Germans. As they had brought with them from Asia the method of grouping by tribes and gentes, as they even in the time of the Romans so drew up their battle array that those related to each other always stood shoulder to shoulder, this grouping also governed the partitioning of their new territory east of the Rhine and north of the Danube. Each tribe settled down upon the new possession, not according to whim or accident, but, as Cæsar expressly states, according to the gens-relationship between the members of the tribe. A particular area was apportioned to each of the nearly related larger groups, and on this again the individual gentes, each including a certain number of families, settled down by villages. A number of allied villages formed a hundred (old high German, *huntari;* old Norse, *heradh).* A number of hundreds formed a *gau* or shire. The sum total of the shires was the people itself.

The land which was not taken possession of by the village remained at the disposal of the hundred. What was not assigned to the latter remained for the shire. Whatever after that was still to be disposed of—generally a very large tract of land—was the immediate possession of the whole people. Thus in Sweden we find all these different stages of common holding side by side. Each village had its village common land *(bys almänningar),* and beyond this was the hundred common land *(härads),* the shire common land *(lands),* and finally the people's common land. This last, claimed by the king as representative of the whole nation, was known therefore as *Konungs almänningar.* But all of these, even the royal lands, were named, without distinction, *almänningar,* common land.

This old Swedish arrangement of the common land, in

its minute subdivision, evidently belongs to a later stage of development. If it ever did exist in Germany, it soon vanished. The rapid increase in the population led to the establishment of a number of daughter villages on the *Mark, i. e.,* on the large tract of land attributed to each individual mother village. These daughter villages formed a single mark-association with the mother village, on the basis of equal or of restricted rights. Thus we find everywhere in Germany, so far as research goes back, a larger or smaller number of villages united in one mark-association. But these associations were, at least, at first, still subject to the great federations of the marks of the hundred, or of the shire. And, finally, the people, as a whole, originally formed one single great mark-association, not only for the administration of the land that remained the immediate possession of the people, but also as a supreme court over the subordinate local marks.

Until the time when the Frankish kingdom subdued Germany east of the Rhine, the center of gravity of the mark-association seems to have been in the *gau* or shire—the shire seems to have formed the unit mark-association. For, upon this assumption alone is it explicable that, upon the official division of the kingdom, so many old and large marks reappear as shires. Soon after this time began the decay of the old large marks. Yet, even in the code known as the *Kaiserrecht,* the "Emperor's Law" of the thirteenth or fourteenth century, it is a general rule that a mark includes from six to twelve villages.

In Cæsar's time a great part at least of the Germans, the Suevi, to wit, who had not yet got any fixed settlement, cultivated their fields in common. From analogy with other peoples we may take it that this was carried on in such a way that the individual gentes, each including a number of nearly related families, cultivated in com-

mon the land apportioned to them, which was changed from year to year, and divided the products among the families. But after the Suevi, about the beginnning of our era, had settled down in their new domains, this soon ceased. At all events, Tacitus (150 years after Cæsar) only mentions the tilling of the soil by individual families. But the land to be tilled only belonged to these for a year. Every year it was divided up anew and redistributed.

How this was done is still to be seen at the present time on the Moselle and in the Hochwald, on the so-called "Gehöferschaften." There the whole of the land under cultivation, arable and meadows, not annually it is true, but every three, six, nine or twelve years, is thrown together and parcelled out into a number of "Gewanne," or areas, according to situation and the quality of the soil. Each Gewann is again divided into as many equal parts, long, narrow strips, as there are claimants in the association. These are shared by lot among the members, so that every member receives an equal portion in each Gewann. At the present time the shares have become unequal by divisions among heirs, sales, etc.; but the old full share still furnishes the unit that determines the half, or quarter, or one-eighth shares. The uncultivated land, forest and pasture land, is still a common possession for common use.

The same primitive arrangement obtained until the beginning of this century in the so-called assignments by lot (Loosgüter) of the Rhein palatinate in Bavaria, whose arable land has since been turned into the private property of individuals. The Gehöferschaften also find it more and more to their interest to let the periodical redivision become obsolete and to turn the changing ownership into settled private property. Thus most of them,

if not all, have died out in the last forty years and given place to villages with peasant proprietors using the forests and pasture land in common.

The first piece of ground that passed into the private property of individuals was that on which the house stood. The inviolability of the dwelling, that basis of all personal freedom, was transferred from the caravan of the nomadic train to the log house of the stationary peasant, and gradually was transformed into a complete right of property in the homestead. This had already come about in the time of Tacitus. The free German's homestead must, even in that time, have been excluded from the mark, and thereby inaccessible to its officials, a safe place of refuge for fugitives, as we find it described in the regulations of the marks of later times, and to some extent, even in the "leges Barbarorum," the codifications of German tribal customary law, written down from the fifth to the eighth century. For the sacredness of the dwelling was not the effect but the cause of its transformation into private property.

Four or five hundred years after Tacitus, according to the same law-books, the cultivated land also was the hereditary, although not the absolute freehold property of individual peasants, who had the right to dispose of it by sale or any other means of transfer. The causes of this transformation, as far as we can trace them, are twofold.

First, from the beginning there were in Germany itself, besides the close villages already described, with their complete ownership in common of the land, other villages where, besides homesteads, the fields also were excluded from the mark, the property of the community, and were parcelled out among the individual peasants as their hereditary property. But this was only the case where the

nature of the place, so to say, compelled it: in narrow valleys, and on narrow, flat ridges between marshes, as in Westphalia; later on, in the Odenwald, and in almost all the Alpine valleys. In these places the village consisted, as it does now, of scattered individual dwellings, each surrounded by the fields belonging to it. A periodical re-division of the arable land was in these cases hardly possible, and so what remained within the mark was only the circumjacent untilled land. When, later, the right to dispose of the homestead by transfer to a third person became an important consideration, those who were free owners of their fields found themselves in an advantageous position. The wish to attain these advantages may have led in many of the villages with common ownership of the land to the letting the customary method of partition die out and to the transformation of the individual shares of the members into hereditary and transferable freehold property.

But, second, conquest led the Germans on to Roman territory, where, for centuries, the soil had been private property (the unlimited property of Roman law), and where the small number of conquerors could not possibly altogether do away with a form of holding so deeply rooted. The connection of hereditary private property in fields and meadows with Roman law, at all events on territory that had been Roman, is supported by the fact that such remains of common property in arable land as have come down to our time are found on the left bank of the Rhine—*i. e.*, on conquered territory, but territory *thoroughly Germanized.* When the Franks settled here in the fifth century, common ownership in the fields must still have existed among them, otherwise we should not find there Gehöferschaften and Loosgüter. But here also private ownership soon got the mastery, for this form of

holding only do we find mentioned, in so far as arable land is concerned, in the Riparian law of the sixth century. And in the interior of Germany, as I have said, the cultivated land also soon became private property.

But if the German conquerors adopted private ownership in fields and meadows—*i. e.*, gave up at the first division of the land, or soon after, any re-partition (for it was nothing more than this), they introduced, on the other hand, everywhere their German mark system, with common holding of woods and pastures, together with the over-lordship of the mark in respect to the partitioned land. This happened not only with the Franks in the north of France and the Anglo-Saxons in England, but also with the Burgundians in Eastern France, the Visigoths in the south of France and Spain, and the Ostrogoths and Langobardians in Italy. In these last-named countries, however, as far as is known, traces of the mark government have lasted until the present time almost exclusively in the higher mountain regions.

The form that the mark government has assumed after the periodical partition of the cultivated land had fallen into disuse, is that which now meets us, not only in the old popular laws of the fifth, sixth, seventh and eighth centuries, but also in the English and Scandinavian law-books of the Middle Ages, in the many German mark regulations (the so-called *Weisthümer)* from the fifteenth to the seventeenth century, and in the customary laws *(coûtumes)* of Northern France.

While the association of the mark gave up the right of, from time to time, partitioning fields and meadows anew among its individual members, it did not give up a single one of its other rights over these lands. And these rights were very important. The association had only transferred their fields to individuals with a view to their

being used as arable and meadow land, and with that view alone. Beyond that the individual owner had no right. Treasures found in the earth, if they lay deeper than the ploughshare goes, did not, therefore, originally belong to him, but to the community. It was the same thing with digging for ores, and the like. All these rights were, later on, stolen by the princes and landlords for their own use.

But, further, the use of arable and meadow lands was under the supervision and direction of the community and that in the following form: Wherever three-field farming obtained—and that was almost everywhere—the whole cultivated area of the village was divided into three equal parts, each of which was alternately sown one year with winter seed, the second with summer seed, and the third lay fallow. Thus the village had each year its winter field, its summer field, its fallow field. In the partition of the land care was taken that each member's share was made up of equal portions from each of the three fields, so that everyone could, without difficulty, accommodate himself to the regulations of the community, in accordance with which he would have to sow autumn seed only in his winter field, and so on.

The field whose turn it was to lie fallow returned, for the time being, into the common possession, and served the community in general for pasture. And as soon as the two other fields were reaped, they likewise became again common property until seed-time, and were used as common pasturage. The same thing occurred with the meadows after the aftermath. The owners had to remove the fences upon all fields given over to pasturage. This compulsory pasturage, of course, made it necessary that the time of sowing and of reaping should not be left to the individual, but be fixed for all the community or by custom.

All other land, *i. e.*, all that was not house and farm-yard, or so much of the mark as had been distributed among individuals, remained, as in early times, common property for common use; forests, pasture lands, heaths, moors, rivers, ponds, lakes, roads and bridges, hunting and fishing grounds. Just as the share of each member in so much of the mark as was distributed was of equal size, so was his share also in the use of the "common mark." The nature of this use was determined by the members of the community as a whole. So, too, was the mode of partition, if the soil that had been cultivated no longer sufficed, and a portion of the common mark was taken under cultivation. The chief use of the common mark was in pasturage for the cattle and feeding of pigs on acorns. Besides that, the forest yielded timber and firewood, litter for the animals, berries and mushrooms, while the moor, where it existed, yielded turf. The regulations as to pasture, the use of wood, etc., make up the most part of the many mark records written down at various epochs between the thirteenth and the eighteenth centuries, at the time when the old unwritten law of custom began to be contested. The common woodlands that are still met with here and there, are the remnants of these ancient unpartitioned marks. Another relic, at all events in West and South Germany, is the idea, deeply rooted in the popular consciousness, that the forest should be common property, wherein every one may gather flowers, berries, mushrooms, beechnuts and the like, and generally so long as he does no mischief, act and do as he will. But this also Bismarck remedies, and with his famous berry-legislation brings down the Western Provinces to the level of the old Prussian squirearchy.

Just as the members of the community originally had equal shares in the soil and equal rights of usage, so they

had also an equal share in the legislation, administration and jurisdiction within the mark. At fixed times and, if necessary, more frequently, they met in the open air to discuss the affairs of the mark and to sit in judgment upon breaches of regulations and disputes concerning the mark. It was, only in miniature, the primitive assembly of the German people, which was, originally, nothing other than a great assembly of the mark. Laws were made, but only in rare cases of necessity. Officials were chosen, their conduct in office examined, but chiefly judicial functions were exercised. The president had only to formulate the questions. The judgment was given by the aggregate of the members present.

The unwritten law of the mark was, in primitive times, pretty much the only public law of those German tribes, which had no kings; the old tribal nobility, which disappeared during the conquest of the Roman empire, or soon after, easily fitted itself into this primitive constitution, as easily as all other spontaneous growths of the time, just as the Celtic clan-nobility, even as late as the seventeenth century, found its place in the Irish holding of the soil in common. And this unwritten law has struck such deep roots into the whole life of the Germans, that we find traces of it at every step and turn in the historical development of our people. In primitive times, the whole public authority in time of peace was exclusively judicial, and rested in the popular assembly of the hundred, the shire, or the whole tribe. But this popular tribunal was only the popular tribunal of the mark adapted to cases that did not purely concern the mark, but came within the scope of the public authority. Even when the Frankish kings began to transform the self-governing shires into provinces governed by royal delegates, and thus separated the royal shire courts from the common mark

tribunals, in both the judicial function remained vested in the people. It was only when the old democratic freedom had been long undermined, when attendance at the popular assemblies and tribunals had become a severe burden upon the impoverished freemen, that Charlemagne, in his shire courts, could introduce judgment by Schöffen, lay assessors, appointed by the king's judge, in the place of judgment by the whole popular assembly.[1] But this did not seriously touch the tribunals of the mark. These, on the contrary, still remained the model even for the feudal tribunals in the Middle Ages. In these, too, the feudal lord only formulated the issues, while the vassals themselves found the verdict. The institutions governing a village during the Middle Ages are but those of an independent village mark, and passed into those of a town as soon as the village was transformed into a town, *i. e.*, was fortified with walls and trenches. All later constitutions of cities have grown out of these original town mark regulations. And, finally, from the assembly of the mark were copied the arrangements of the numberless free associations of medieval times not based upon common holding of the land, and especially those of the free guilds. The rights conferred upon the guild for the exclusive carrying on of a particular trade were dealt with just as if they were rights in a common mark. With the same jealousy, often with precisely the same means in the guilds as in the mark, care was taken that the share of each member in the common benefits and advantages should be equal, or as nearly equal as possible.

All this shows the mark organization to have possessed

[1] Not to be confused with the Schöffen courts after the manner of Bismarck and Leonhardt, in which lawyers and lay assessors combined find verdict and judgment. In the old judicial courts

an almost wonderful capacity for adaptation to the most different departments of public life and to the most various ends. The same qualities it manifested during the progressive development of agriculture and in the struggle of the peasants with the advance of large landed property. It had arisen with the settlement of the Germans in Germania Magna, that is, at a time when the breeding of cattle was the chief means of livelihood, and when the rudimentary, half-forgotten agriculture which they had brought with them from Asia was only just put into practice again. It held its own all through the Middle Ages in fierce, incessant conflicts with the land-holding nobility. But it was still such a necessity that wherever the nobles had appropriated the peasants' land, the villages inhabited by these peasants, now turned into serfs, or at best into *coloni* or dependent tenants, were still organized on the lines of the old mark, in spite of the constantly increasing encroachments of the lords of the manor. Farther on we will give an example of this. It adapted itself to the most different forms of holding the cultivated land, so long as only an uncultivated common was still left, and in like manner to the most different rights of property in the common mark, as soon as this ceased to be the free property of the community. It died out when almost the whole of the peasants' lands, both private and common, were stolen by the nobles and the clergy, with the willing help of the princes. But economically obsolete and incapable of continuing as the prevalent social organization of agriculture it became only, when the great advances in farming of the last hundred years made agriculture a science and led to altogether new systems of carrying it on.

there were no lawyers at all, the presiding judge had no vote at all, and the Schöffen or lay assessors gave the verdict independently.

The undermining of the mark organization began soon after the conquest of the Roman empire. As representatives of the nation, the Frankish kings took possession of the immense territories belonging to the people as a whole, especially the forests, in order to squander them away as presents to their courtiers, to their generals, to bishops and abbots. Thus they laid the foundation of the great landed estates, later on, of the nobles and the Church. Long before the time of Charlemagne, the Church had a full third of all the land in France, and it is certain that, during the Middle Ages, this proportion held generally for the whole of Catholic Western Europe.

The constant wars, internal and external, whose regular consequences were confiscations of land, ruined a great number of peasants, so that even during the Merovingian dynasty, there were very many free men owning no land. The incessant wars of Charlemagne broke down the mainstay of the free peasantry. Originally every freeholder owed service, and not only had to equip himself, but also to maintain himself under arms for six months. No wonder that even in Charlemagne's time scarcely one man in five could be actually got to serve. Under the chaotic rule of his successors, the freedom of the peasants went still more rapidly to the dogs. On the one hand, the ravages of the Northmen's invasions, the eternal wars between kings, and feuds between nobles, compelled one free peasant after another to seek the protection of some lord. Upon the other hand, the covetousness of these same lords and of the Church hastened this process; by fraud, by promises, threats, violence, they forced more and more peasants and peasants' land under their yoke. In both cases, the peasants' land was added to the lord's manor, and was, at best, only given back for the use of the

peasant in return for tribute and service. Thus the peasant, from a free owner of the land, was turned into a tribute-paying, service-rendering appanage of it, into a serf. This was the case in the western Frankish kingdom, especially west of the Rhine. East of the Rhine, on the other hand, a large number of free peasants still held their own, for the most part scattered, occasionally united in villages entirely composed of freemen. Even here, however, in the tenth, eleventh, and twelfth centuries, the overwhelming power of the nobles and the Church was constantly forcing more and more peasants into serfdom.

When a large landowner—clerical or lay—got hold of a peasant's holding, he acquired with it, at the same time, the rights in the mark that appertained to the holding. The new landlords were thus members of the mark, and, within the mark, they were, originally, only regarded as on an equality with the other members of it, whether free or serfs, even if these happened to be their own bondsmen. But soon, in spite of the dogged resistance of the peasants, the lords acquired in many places special privileges in the mark, and were often able to make the whole of it subject to their own rule as lords of the manor. Nevertheless the old organization of the mark continued, though now it was presided over and encroached upon by the lord of the manor.

How absolutely necessary at that time the constitution of the mark was for agriculture, even on large estates, is shown in the most striking way by the colonization of Brandenburg and Silesia, by Frisian and Saxon settlers, and by settlers from the Netherlands and the Frankish banks of the Rhine. From the twelfth century, the people were settled in villages on the lands of the lords according to German law, *i. e.*, according to the old mark

law, so far as it still held on the manors owned by lords. Every man had house and homestead; a share in the village fields, determined after the old method by lot, and of the same size for all; and the right of using the woods and pastures, generally in the woods of the lord of the manor, less frequently in a special mark. These rights were hereditary. The fee simple of the land continued in the lord, to whom the colonists owed certain hereditary tributes and services. But these dues were so moderate, that the condition of the peasants was better here than anywhere else in Germany. Hence, they kept quiet when the peasants' war broke out. For this apostasy from their own cause they were sorely chastised.

About the middle of the thirteenth century there was everywhere a decisive change in favor of the peasants. The crusades had prepared the way for it. Many of the lords, when they set out to the East, explicitly set their peasant serfs free. Others were killed or never returned. Hundreds of noble families vanished, whose peasant serfs frequently gained their freedom. Moreover, as the needs of the landlords increased, the command over the payments in kind and services of the peasants became much more important than that over their persons. The serfdom of the earlier Middle Ages, which still had in it much of ancient slavery, gave to the lords rights which lost more and more their value; it gradually vanished, the position of the serfs narrowed itself down to that of simple hereditary tenants. As the method of cultivating the land remained exactly as of old, an increase in the revenues of the lord of the manor was only to be obtained by the breaking up of new ground, the establishing new villages. But this was only possible by a friendly agreement with the colonists, whether they belonged to the estate or were strangers. Hence, in the documents of this

time, we meet with a clear determination and a moderate scale of the peasants' dues, and good treatment of the peasants, especially by the spiritual landlords. And, lastly, the favorable position of the new colonists reacted again on the condition of their neighbors, the bondmen, so that in all the north of Germany these also, while they continued their services to the lords of the manor, received their personal freedom. The Slav and Lithuanian peasants alone were not freed. But this was not to last.

In the fourteenth and fifteenth centuries the towns rose rapidly, and became rapidly rich. Their artistic handicraft, their luxurious life, throve and flourished, especially in South Germany and on the Rhine. The profusion of the town patricians aroused the envy of the coarsely-fed, coarsely-clothed, roughly-furnished, country lords. But whence to obtain all these fine things? Lying in wait for traveling merchants became more and more dangerous and unprofitable. But to buy them, money was requisite. And that the peasants alone could furnish. Hence, renewed oppression of the peasants, higher tributes and more corvée; hence renewed and always increasing eagerness to force the free peasants to become bondmen, the bondmen to become serfs, and to turn the common mark land into land belonging to the lord. In this the princes and nobles were helped by the Roman jurists, who, with their application of Roman jurisprudence to German conditions, for the most part not understood by them, knew how to produce endless confusion, but yet that sort of confusion by which the lord always won and the peasant always lost. The spiritual lords helped themselves in a more simple way. They forged documents, by which the rights of the peasants were curtailed and their duties increased. Against these robberies by the landlords, the

peasants, from the end of the fifteenth century, frequently rose in isolated insurrections, until, in 1525, the great Peasants' War overflowed Suabia, Bavaria, Franconia, extending into Alsace, the Palatinate, the Rheingau and Thuringen. The peasants succumbed after hard fighting. From that time dates the renewed predominance of serfdom among the German peasants generally. In those places where the fight had raged, all remaining rights of the peasants were now shamelessly trodden under foot, their common land turned into the property of the lord, they themselves into serfs. The North German peasants, being placed in more favorable conditions, had remained quiet; their only reward was that they fell under the same subjection, only more slowly. Serfdom is introduced among the German peasantry from the middle of the sixteenth century in Eastern Prussia, Pomerania, Brandenburg, Silesia, and from the end of that century in Schleswig-Holstein, and henceforth becomes more and more their general condition.

This new act of violence had, however, an economic cause. From the wars consequent upon the Protestant Reformation, only the German princes had gained greater power. It was now all up with the nobles' favorite trade of highway robbery. If the nobles were not to go to ruin, greater revenues had to be got out of their landed property. But the only way to effect this was to work at least a part of their own estates on their own account, upon the model of the large estates of the princes, and especially of the monasteries. That which had hitherto been the exception now became a necessity. But this new agricultural plan was stopped by the fact that almost everywhere the soil had been given to tribute-paying peasants. As soon as the tributary peasants, whether free men or *coloni*, had been turned into serfs, the noble

lords had a free hand. Part of the peasants were, as it is now called in Ireland, evicted, *i. e.*, either hunted away or degraded to the level of cottars, with mere huts and a bit of garden land, while the ground belonging to their homestead was made part and parcel of the demesne of the lord, and was cultivated by the new cottars and such peasants as were still left, in *corvée* labor. Not only were many peasants thus actually driven away, but the corvée service of those still left was enhanced considerably, and at an ever increasing rate. The capitalist period announced itself in the country districts as the period of agricultural industry on a large scale, based upon the corvée labor of serfs.

This transformation took place at first rather slowly. But then came the Thirty Years' War. For a whole generation Germany was overrun in all directions by the most licentious soldiery known to history. Everywhere was burning, plundering, rape, and murder. The peasant suffered most where, apart from the great armies, the smaller independent bands, or rather the freebooters, operated uncontrolled, and upon their own account. The devastation and depopulation were beyond all bounds. When peace came, Germany lay on the ground helpless, down-trodden, cut to pieces, bleeding; but, once again, the most pitiable, miserable of all was the peasant.

The land-owning noble was now the only lord in the country districts. The princes, who just at that time were reducing to nothing his political rights in the assemblies of Estates, by way of compensation left him a free hand against the peasants. The last power of resistance on the part of the peasants had been broken by the war. Thus the noble was able to arrange all agrarian conditions in the manner most conducive to the restoration of his ruined finances. Not only were the deserted home-

steads of the peasants, without further ado, united with the lord's demesne; the eviction of the peasants was carried on wholesale and systematically. The greater the lord of the manor's demesne, the greater, of course, the corvée required from the peasants. The system of "unlimited corvée" was introduced anew; the noble lord was able to command the peasant, his family, his cattle, to labor for him, as often and as long as he pleased. Serfdom was now general; a free peasant was now as rare as a white crow. And in order that the noble lord might be in a position to nip in the bud the very smallest resistance on the part of the peasants, he received from the princes of the land the right of patrimonial jurisdiction, *i. e.*, he was nominated sole judge in all cases of offense and dispute among the peasants, even if the peasant's dispute was with him, the lord himself, so that the lord was judge in his own case! From that time, the stick and the whip ruled the agricultural districts. The German peasant, like the whole of Germany, had reached his lowest point of degradation. The peasant, like the whole of Germany, had become so powerless that all self-help failed him, and deliverance could only come from without.

And it came. With the French Revolution came for Germany also and for the German peasant the dawn of a better day. No sooner had the armies of the Revolution conquered the left bank of the Rhine, than all the old rubbish vanished, as at the stroke of an enchanter's wand—corvée service, rent dues of every kind to the lord, together with the noble lord himself. The peasant of the left bank of the Rhine was now lord of his own holding; moreover, in the Code Civil, drawn up at the time of the Revolution and only baffled and botched by Napoleon, he received a code of laws adapted to his new conditions, that

he could not only understand, but also carry comfortably in his pocket.

But the peasant on the right bank of the Rhine had still to wait a long time. It is true that in Prussia, after the well-deserved defeat at Jena, some of the most shameful privileges of the nobles were abolished, and the so-called redemption of such peasants' burdens as were still left was made legally possible. But to a great extent and for a long time this was only on paper. In the other German States, still less was done. A second French Revolution, that of 1830, was needed to bring about the "redemption" in Baden and certain other small States bordering upon France. And at the moment when the third French Revolution, in 1848, at last carried Germany along with it, the redemption was far from being completed in Prussia, and in Bavaria had not even begun. After that, it went along more rapidly and unimpeded; the corvée labor of the peasants, who had this time become rebellious on their own account, had lost all value.

And in what did this redemption consist? In this, that the noble lord, on receipt of a certain sum of money or of a piece of land from the peasant, should henceforth recognize the peasant's land, as much or as little as was left to him, as the peasant's property, free of all burdens; though all the land that had at any time belonged to the noble lord was nothing but land stolen from the peasants. Nor was this all. In these arrangements, the Government officials charged with carrying them out almost always took the side, naturally, of the lords, with whom they lived and caroused, so that the peasants, even against the letter of the law, were again defrauded right and left.

And thus, thanks to three French revolutions, and to the German one, that has grown out of them, we have

once again a free peasantry. But how very inferior is the position of our free peasant of to-day compared with the free member of the mark of the olden time! His homestead is generally much smaller, and the unpartitioned mark is reduced to a few very small and poor bits of communal forest. But, without the use of the mark, there can be no cattle for the small peasant; without cattle, no manure; without manure, no agriculture. The tax-collector and the officer of the law threatening in the rear of him, whom the peasant of to-day knows only too well, were people unknown to the old members of the mark. And so was the mortgagee, into whose clutches nowadays one peasant's holding after another falls. And the best of it is that these modern free peasants, whose property is so restricted, and whose wings are so clipped, were created in Germany, where everything happens too late, at a time when scientific agriculture and the newly-invented agricultural machinery make cultivation on a small scale a method of production more and more antiquated, less and less capable of yielding a livelihood. As spinning and weaving by machinery replaced the spinning-wheel and the hand-loom, so these new methods of agricultural production must inevitably replace the cultivation of land in small plots by landed property on a large scale, provided that the time necessary for this be granted.

For already the whole of European agriculture, as carried on at the present time, is threatened by an overpowering rival, *viz.*, the production of corn on a gigantic scale by America. Against this soil, fertile, manured by nature for a long range of years, and to be had for a bagatelle, neither our small peasants, up to their eyes in debt, nor our large landowners, equally deep in debt, can fight. The whole of the European agricultural system is being beaten by American competition. Agriculture, as far as

Europe is concerned, will only be possible if carried on upon socialized lines, and for the advantage of society as a whole.

This is the outlook for our peasants. And the restoration of a free peasant class, starved and stunted as it is, has this value—that it has put the peasant in a position, with the aid of his natural comrade, the worker, to help himself, as soon as he once understands *how*.

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